



Economic & International Development Department

HISTORIC LANDMARK COMMISSION MEETING MINUTES

1st FLOOR, CITY COUNCIL CHAMBERS

CITY HALL BUILDING, 300 N. CAMPBELL

DECEMBER 8, 2014

4:00 P.M.

Mayor

Oscar Leeser

City Council

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The El Paso Historic Landmark Commission held a public hearing in the City Council Chambers, 1st Floor, City Hall Building, December 8, 2014, 4:00 p.m.

The following commissioners were present:

Chairman David Berchermann

Vice-Chairman Edgar Lopez (4:10 p.m.)

Commissioner Beatriz Lucero

Commissioner Randy Brock

Commissioner Cesar Gomez

Commissioner John Moses

The following commissioners were not present:

Commissioner William Helm II

Commissioner Ricardo Fernandez

The following City staff members were present:

Ms. Providencia Velázquez, Historic Preservation Officer, Economic & International Development

Ms. Kristen Hamilton, Assistant City Attorney, City Attorney's Office

CALL TO ORDER

Chairman Berchermann called the meeting to order.

CHANGES TO THE AGENDA

Ms. Velázquez requested commissioners address item 6. "Discussion and action regarding an application for the designation of San Jacinto Plaza as a Lone Star Legacy Park by the Texas Recreation and Park Society.", prior to discussion on cases.

MOTION:

Motion made by Chairman Berchermann, seconded by Commissioner Brock AND UNANIMOUSLY CARRIED TO MOVE ITEM 6. TO THE FIRST ITEM OF THE DAY.

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I. CALL TO THE PUBLIC – PUBLIC COMMENT

None.

II. REGULAR AGENDA – DISCUSSION AND ACTION

Certificate of Appropriateness

1. **PHAP14-00032:** Being 212 Campbell 11 To 13 (9360 Sq. Ft.), City of El Paso, El Paso County, Texas
- Location: 816 Magoffin Avenue
- Historic District: Magoffin
- Property Owner: Missionary Society of St. Columban
- Representative: Bill Morton
- Representative District: 8
- Existing Zoning: C-4/H (Commercial/Historic)
- Year Built: 1920
- Historic Status: Contributing
- Request: Certificate of Appropriateness for the application of exterior insulation and stucco after the fact; construction of a railing and stairs; and modification of a window into a door for a fire escape at the rear façade
- Application Filed: 11/26/14
- 45 Day Expiration: 1/10/15

Ms. Velázquez gave a presentation and noted the applicant seeks approval for a Certificate of Appropriateness for the application of exterior insulation and stucco after the fact; construction of a railing and stairs; and modification of a window into a door for a fire escape at the rear façade. She explained this Certificate of Appropriateness is two-parted:

1. Application of exterior insulation and stucco after the fact; and
2. The construction of a railing with stairs and modification of a window into a door for a fire escape at the rear façade.

Photos of the site, if commissioners would look at the upper right of the first building, you will see the best location of the proposed stairs, on the roof somewhat; but because this is looking at a corner, most of the facades are visible.

Ms. Velázquez presented photos of the structure from 2000 and just last week. The most recent photo shows work being done on the façade; however, she was unsure exactly what it was. She spoke to the property owner and asked him what he was doing. The property owner explained they were installing EFIS (*Exterior Insulating Foam System*) along with stucco on top and paint. The property owner believed if he was doing work that was appropriate to the historic and that he did not need approval or permit.

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Ms. Velázquez explained to the property owner that, in a historic district, whenever you do any work, especially exterior, you do need to go through the Historic Preservation Office to get approval.

Before and During photos, with differences noted

Ms. Velázquez explained the structure looks very similar to how it looked previously; however, the details are slightly different:

1. If you look directly underneath the dentils, you will see that sort of line that little stringcourse that is going across, that is missing right now; and
2. The circle in the dormer, if you look above that, and gable, that is slightly different. It had not been completely painted on the inside

Rear Façade

Ms. Velázquez showed photos of the rear façade, prior to construction and noted there is parking available. If you look at this window and this door, that first window will be converted into a door in order to allow for access and that door will be changed into another door to make it easier to access the balcony, as well. As you can see, the rear façade does not have any significant details, architectural elements that will be adversely affected by this.

Staircase

The staircase will be installed on this façade and here it is in plan. Ms. Velázquez explained the roof of that little one-story addition will then become sort of terrace/balcony with access to that little staircase.

Exceptions – Wood and Masonry

Ms. Velázquez showed photos of surrounding properties. Before reading her recommendations into the record, she explained our guidelines do allow for the replacement of certain components, usually like with like; however, there are exceptions.

For example, we allow wood windows to be replaced with vinyl or fiberglass or metal as long as it equals the operation and the detailing of the original window.

We do the same thing for roofing because, historically, these houses had wood shakes for roofing. Wood shakes are not approved by the Fire Department so we now allow asphalt shingles.

We treat wood very differently from masonry. Wood is a very different material, it is organic, it is subject to degradation by ultraviolet radiation and moisture, so we protect wood. It is not unusual to see painted or coated wood. We must protect it because it does not do well in the elements.

Masonry is a very different material. Masonry is mineral based. Masonry needs to breathe which is why we do not recommend painting or coating it. What people do not understand is that it is not an aesthetic issue when we ask them not to paint their brick properties; it is actually a conservation issue.



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Because what happens when you coat a masonry wall, whether its brick, granite or marble, the paint is designed to stay on, it adheres very, very tightly. Masonry has to be vapor permeable. Water does penetrate whether it is from the exterior during the rain or from the interior because of bad maintenance or perhaps a bad roof that does not allow for runoff. That masonry has to breathe. If it does not, when it is coated, as I said the coating is designed to stay on, what then happens is the face pops off and you end up with the masonry becoming almost sacrificial material because the paint does not allow it to breathe. This is why we treat them both very, very differently; we try to protect wood by painting and coating; however, when we cannot we allow for the replacement of wood with something comparable and a different material. Masonry is very different. We ask people not to coat or paint it because we want to make sure the masonry that we have seen for 100 years will be there for the next 100.

Ms. Velázquez read the following staff recommendations into the record:

The Historic Preservation Office recommends ***APPROVAL WITH A MODIFICATION** of the proposed scope of work based on the following recommendations:

The Magoffin Historic District Design Guidelines recommend the following:

- Exterior stairs to upper floors should be relocated to the side and/or rear of a structure.
- If masonry is beyond repair, use similar materials that match the color, size and texture of the material being replaced.
- In Magoffin, however, window treatment ranges from the basic to the ornate. The finish must be in character with the overall appearance of the structure and adequately complement its style.

The Secretary of the Interior's Standards for Rehabilitation recommend the following:

- New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

***THE MODIFICATION IS THAT THE EXTERIOR STYROFOAM INSULATION BE REMOVED; THAT THE STUCCO BE RE-DONE IN ONLY STUCCO WITHOUT STYROFOAM; AND THAT THE INSULATION BE PLACED ON THE INTERIOR OF THE PROPERTY.**

Stairs in the rear façade

Ms. Velázquez thought the stairs in the rear façade were completely appropriate, the guidelines allow for that. If the property owner had come to her prior to starting construction on the exterior, she would not have approved it. She would not have even recommending coming before the Commission. Ms. Velázquez would have recommended a stucco treatment.

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Comments/Questions from Commissioners

Vice-Chairman Lopez asked if the property owner had covered the entire façade with EFIS.

Ms. Velázquez believed he had.

Vice-Chairman Lopez asked to see photos of the structure from 2000 and the most recent. Per the most recent photo, Vice-Chairman Lopez noted the dentils below the eaves and the lines above the windows had been removed.

Ms. Velázquez concurred.

Vice-Chairman Lopez commented how shameful it was, the structure has lost its character.

Ms. Velázquez agreed.

Chairman Berchelmann wondered if the dentils could be brought back.

Ms. Velázquez replied, good question. She also wondered what happened and did they have to be removed.

Vice-Chairman Lopez clarified Ms. Velázquez's concerns:

1. What is that material and;
2. How the material changed the look of the house, completely.

Vice-Chairman Lopez wondered if those dentils were made of wood.

Ms. Velázquez replied, EFIS.

Vice-Chairman Lopez noted it seemed like it was part of the soffit.

Ms. Velázquez agreed. She explained it is not unusual for buildings of this age to have wood soffits.

Vice-Chairman Lopez asked if the stucco was in a bad condition per the owner.

Chairman Berchelmann and Vice-Chairman Lopez discussed whether the eaves were lacking energy efficiencies. Vice-Chairman Lopez explained energy efficiency happens when the EFIS is more than four inches; one inch ..., three inches ... is not going to do it; however, there will be some effect at three inches, but not major.

Father Bill Morton, local priest in charge of the mission center where this structure is located, clarified he was not the property owner. His organization is a non-profit, Catholic, religious order located in Omaha, Nebraska. This property was purchased January, 2009 and it is tax-exempt.

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Solar Panels

In the rear of the property we installed solar panels. The installation of the solar panels was approved by the Historic Landmark Commission, 2011. He mentioned this because his organization is trying to create a model that might be environmentally friendly and would his organization offer people options for reducing their carbon footprint. Father Morton explained his community is a missionary community; we don't just do pastoral work, we are very engaged with the poor and the environment.

Fire Escape

The way this came about was we were working with Mr. Mimbela to install the fire escape. In June and July, we hosted Central American refugees in our mission center. Several evenings there were 30ish women and children and even though we were not required to have a fire escape, we thought it would be sensible to have one installed. This structure has many rooms; every bedroom in the house has an exit onto a roof, except one. We have like a fire ladder that you can put out the window. So we thought, for the safety of people staying in the mission center, we wanted to add the fire escape ladder at our own initiative and expense.

Paint - Exterior

Father Morgan stated, in the process of designing the fire escape, we looked at the house and noticed a lot of decay of the woodwork and that it needed another coat of paint.

Permits – after-the-fact

In retrospect, he understands and accepts that he should have applied for permits. We figured the house would look, pretty much, exactly the same. If somebody did not see what we were doing then looked again after reconstruction was completed, they would think it looked the same, but better. We have Styrofoam, coated with nylon mesh and cement, so that the soffit would look ...

Styrofoam (EFIS)

Father Morton explained we started studying this Styrofoam (EFIS) three or four years ago. It was his understanding having the Styrofoam on the exterior would reduce the inside temperature in the summer and reduce the cost of heating in the winter. That was our objective with the Styrofoam. Father Morton had *someone* (Mr. Carlos Estrada) begin painting the house and during conversation he asked this person if he knew how to install EFIS. Yes, he did. The initial plan was to install the EFIS at the southeast and northwest corners, where the structure gets the most sun. Then we noticed improvements, inside the house, where the EFIS was installed. Father Morton then asked this person if he would install the EFIS to the whole exterior of the structure.

Vice-Chairman Lopez asked how many inches of EFIS was installed.

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Father Morton thought 3.5 inches of thick, high-density Styrofoam panels made for this type of work.

Vice-Chairman Lopez explained three inches will make a big difference in a house that does not have insulation. *Our concern is with the structure; it has lost its character.* EFIS is very easy to work with; furthermore, EFIS can mimic, exactly, the historic details of the home. Vice-Chairman Lopez asked who it was that installed the EFIS.

Father Morton replied a friend of his from Las Cruces, Carlos Estrada.

Removing the EFIS could be very expensive, Vice-Chairman Lopez suggested Father Morton have a professional architect/engineer prepare proper plans that mimic the details shown in the 2000 photograph. If installed correctly, Vice-Chairman Lopez explained the EFIS resembles the look of stucco, marble, stone, etc. He asked Father Morton if Mr. Estrada knows how to install the EFIS to mimic the stucco, create the look of the wood dentil and install properly, and create the band on top of the windows. Vice-Chairman Lopez asked to see the photos, before and after construction, of the structure. After review, he observed that the color of the roof had also been changed.

Father Morton responded no, as long as he has been there the roof has not been touched.

Ms. Velázquez agreed with Vice-Chairman Lopez. The current photo of the structure shows T-Lock shingles. She informed commissioners permits were authorized for the other work, not this one.

Vice-Chairman Lopez explained T-Lock does not exist; furthermore, from the roof, those solar panels are visible.

Father Morton clarified, approximately one year before the purchase the previous owner had those shingles put on. He reiterated his organization purchased the property in 2008.

Vice-Chairman Lopez asked Ms. Velázquez to restate her comments regarding the transom.

Ms. Velázquez mentioned the small gable acting as a dormer; furthermore, per the presentation photos, she noted the interior of the circular window had been painted on the interior. Ms. Velázquez was unsure if that was covered in EFIS.

Chairman Berchermann replied no, not on the inside.

Regarding the storm base, Vice-Chairman Lopez asked if any work was done to that.



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Father Morton replied no work was done; however, it is covered with material to keep the pigeons out.

Ms. Velázquez responded, netting.

Chairman Berchermann asked Father Morton how much this job has cost him so far, i.e., painting, EFIS installation, etc.

Father Morton responded approximately \$25,000.00

Vice-Chairman Lopez explained there are two solutions:

1. Remove everything and restore the stucco; or
2. Install a 1" band on top of the windows and reinstall the dentil moldings below the EFIS

Vice-Chairman Lopez noted companies now manufacture historically correct, plastic dentils. He reiterated the house does not look historic at all, the character has been altered.

With regard to the windows, Father Morton asked Vice-Chairman Lopez to clarify his suggested alteration.

Prior to construction, Vice-Chairman Lopez explained just above the top of the second floor windows there existed a very fine, protruding 1" line made of stucco. This line went straight across around the entire structure.

Ms. Velázquez asked Vice-Chairman Lopez if the foundation was visible, did it look ...

Vice-Chairman Lopez responded there is a line; however, it could be the shadow of the EFIS line.

Trim

Mr. Carlos Estrada, contractor assisting the Fathers in this project, explained the wooden line, above the second floor windows, was removed because it was severely rotted and damaged. We are refurbishing that currently.

Vice-Chairman Lopez and Mr. Estrada discussed the following:

Vice-Chairman Lopez asked if the trim would be replaced with EFIS or wood.

Mr. Estrada replied we are replacing it in identical detail but the wood would be prohibitive to replace. We are creating an identical element based on what was removed.

Texture

Vice-Chairman Lopez asked if the texture would be the same.

Mr. Estrada replied yes.



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Rock Wall Base and Foundation

Vice-Chairman Lopez asked Mr. Estrada to elaborate on the rock wall base.

We plastered that, Mr. Estrada explained because it was filtering water into the structure. The foundation was exposed 2 feet above the ground and the mortar was becoming damaged. Additionally, we stuccoed the exposed foundation underneath the structure.

Vice-Chairman Lopez clarified the bottom was stucco, not EFIS.

Mr. Estrada stated yes, stucco. Anything that we have done to the structure was done to preserve and protect it. The house had been stuccoed before.

Small Bedroom

The rooms inside are small. If he had installed the insulation inside it would not have been effective due to there being many interior walls.

Mr. Estrada explained he has experience regarding historic structure removals. For this project, he tried to stay within, as much as possible, the overall look. This house has been previously remodeled to include additions.

Existing Additions

Regarding the existing additions, Mr. Estrada explained we tried to make them to be more cohesive with the main structure.

Stone Base

Vice-Chairman Lopez asked Mr. Estrada if he could mimic the bottom stone.

Mr. Estrada replied he could install something very similar with a 1" stone fascia that would bring that element back to life.

Recommendations – Preserving the Character

Vice-Chairman Lopez thought the character of the structure would be preserved with the:

1. installation of the 1" stone fascia;
2. change of the base; and
3. change of the dentil (on the second floor).

Mr. Estrada added, if severely damaged, we replaced window bases with identical bases.

Vice-Chairman Lopez noted that detail was not included in the plans. He requested Mr. Estrada revise his plans, adding that detail.

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Restoration of Wooden Elements

Commissioner Gomez requested Mr. Estrada clarify the restoration of the two wooden elements.

Mr. Estrada explained he would restore and replace the element on top. He explained he tried to contact a manufacturer and/or carpenter to create a 2" quarter-round width lip for the bottom but replace the element with more contemporary materials. The view would look identical as it was.

Gable

Vice-Chairman Lopez asked if Mr. Estrada had changed the gable.

Mr. Estrada replied no. The wood for the gable is severely damaged due to weather. What we are doing is creating a wooden replica. Additionally, any rotted or severely damaged wood will be replaced with wood, painted the same white color.

Fake Bullseye

Mr. Estrada explained we will stucco and paint it white.

Existing Wire Mesh on the Façade

Due to the pigeons having destroyed the eaves of the gable, Mr. Estrada explained wire mesh was installed.

Chairman Berchelmann asked to see the most recent photo of the structure.

Exterior Paint Color

Mr. Estrada explained the color we are repainting the house is not the color on the photograph; however, we are matching the color that was on the house after that yellow.

Chairman Berchelmann asked Father Morgan if the color of the house was the same today as when it was when it was purchased.

Father Morton responded yes.

Mr. Estrada added we are just matching the color that was there when we repainted.

Father Morgan explained we have gone out of our way and restored every window in the house. Mr. Troy Ainsworth, former HPO, told the Father he could put vinyl, whatever, as long as it maintained the same appearance. However, Father Morgan read an article in Historic Preservation magazine regarding Green Preservation and replaced the windows historically proper. Father Morgan explained he had asked Mr. Estrada if the home would look exactly the same when this project is complete. Mr. Estrada replied yes.

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On numerous occasions, Chairman Berchelmann explained applicants have appeared before this commission, after-the-fact. It is strongly encouraged applicants come to the Historic Preservation Office before starting a project to ensure the project is compliant with the guidelines and code. It sounds as though you are preserving those wooden elements.

Commissioner Gomez understood they would mimic those elements that were lost with the EFIS.

Stone Base

Chairman Berchelmann understood Mr. Estrada was trying to limit water penetration at the foundation; however, the base is a character-defining feature of the structure.

Mr. Estrada responded it would not be a problem to bring that element back. It would not be a rock foundation look, but stone masonry base.

Commissioner Gomez wondered if Mr. Estrada was referring to a stone veneer.

Mr. Estrada replied yes, a stone veneer. He would install a real stone veneer not cast concrete veneer. Even the joints would be more even, not like before.

Chairman Berchelmann asked if commissioners had any further comments/questions.

Commissioner Moses questioned coating the underlying masonry.

When he began this project, Mr. Estrada explained the house already had a plaster cover which was falling apart. Since the brick was no longer exposed, the best way to protect a structure especially with bricks that are absorbent and old and joints damaged by time he decided was to use impermeable Styrofoam, as suggested by some Historical Committees.

Mr. Estrada stated, in some New Mexico counties, it is mandatory to protect the houses, the adobe or earth-based structures, with at least 2" of high-density Styrofoam.

Chairman Berchelmann remembered Mr. Estrada stated he used 3.5" high-density Styrofoam.

Mr. Estrada responded yes, but *they* demand at least 3", you can go up to 6" if you wanted. In this case because the house is masonry the adobe is 12" thick plus 3", you have at least an R 18 protection. These walls are two layers of 3" brick so in order to be efficient, I needed to protect the house as much as possible, which is why I installed 3.5" of Styrofoam rather than 2".

Chairman Berchelmann thought Vice-Chairman Lopez's second suggestion was the most manageable.



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Vice-Chairman Lopez stated thankfully they did not make major changes, just cosmetic. What changes were made can be brought back to their original look fairly easily. Vice-Chairman Lopez' one concern was that Mr. Estrada and Father Morton mimic, as close as possible, the base of the stone. *Not cast stone.*

Mr. Estrada added *more rustic.*

Vice-Chairman Lopez concurred with Mr. Estrada, yes, more rustic.

Mr. Jerry Gonzalez, Mimbela Contractors, Inc., asked commissioners if it was permissible to install the fire escape.

Vice-Chairman Lopez replied, yes; the fire escape is not visible and it is a life safety issue.

Commissioner Moses asked Mr. Gonzalez if structural engineers reviewed the proposal.

Mr. Gonzalez replied yes, it all went through engineering.

Vice-Chairman Lopez added, and architects.

Mr. Gonzalez replied, yes sir.

MOTION:

Motion made by Vice-Chairman Lopez, seconded by Commissioner Gomez AND UNANIMOUSLY CARRIED TO APPROVE THE PROPERTY AT 816 MAGOFFIN AVENUE WITH ADDITIONAL CHANGES:

1. *TO PRESERVE THE MASONRY BASE, THAT WAS ORIGINALLY THERE;*
2. *PROVIDE A BAND ATOP THE SECOND FLOOR WINDOWS;*
3. *THE SAME WITH THE DENTIL MOLDING BELOW THE SOFFIT, PAINTED WHITE; AND*
4. *ON THE GABLE, PAINT THE CIRCLE A DARKER COLOR, AS SHOWN IN THE 2000 PHOTO.*

Certificate of Appropriateness

2. **PHAP14-00033:** Being 11 Manhattan Heights 46 and 47, City of El Paso, El Paso County, Texas
- Location: 3101 Wheeling Avenue
- Historic District: Manhattan Heights
- Property Owner: Celia Peinado
- Representative: Modern Exteriors of El Paso
- Representative District: 2
- Existing Zoning: R-3/H (Residential/Historic)

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Year Built: 1916
Historic Status: Contributing
Request: Certificate of Appropriateness for the removal of exterior stucco and wood on second floor, fascia, and soffits and replacement with vinyl
Application Filed: 11/26/14
45 Day Expiration: 1/10/15

Ms. Velázquez gave a presentation and noted the applicant seeks approval for a Certificate of Appropriateness for the removal of exterior stucco and wood on second floor, fascia and soffits and replacement with vinyl.

Per the presentation photos, Ms. Velázquez explained the structure's first floor has a brick exterior, the second floor is stucco. Additionally, this is a corner property and most of the structure is visible from the right-of-way. Property owner would like to:

Second floor

- a. remove existing stucco;
- b. replace with Styrofoam, to provide better insulation
- c. replace the fascia and soffit with a plastic-like material that comes in a variety of colors (example of product shown in backup information).

The surrounding properties/structures are mostly brick and stucco.

Ms. Velázquez read the following staff recommendations into the record with special emphasis placed on the first recommendation:

The Historic Preservation Office recommends ***APPROVAL WITH A MODIFICATION** of the proposed scope of work based on the following recommendations:

The Design Guidelines for El Paso's Historic Districts, Sites, and Properties recommend the following:

4. **If areas are deteriorated beyond repair they should be replaced in kind to match the original historic material compounds. Aluminum, vinyl, plywood or other synthetic sidings shall be reviewed by the HLC. However, some may be considered on an individual basis if the proposed material matches the existing historic material, all original detailing is left exposed, window and door trim are not covered, and any unique finishes are intact and not covered or damaged.**
5. *Preservation, restoration or reconstruction of a structure's original fixtures is recommended. Source and select original materials and employ traditional construction methods as per preservation briefs or historic specifications.*
6. *If it is necessary to replace masonry, always use materials that match the color, size and texture of the masonry being replaced.*
7. *Preserve the shape, size, materials, and details of character-defining chimneys and foundations and other masonry/stone features.*

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The Secretary of the Interior's Standards for Rehabilitation recommend the following:

- *When the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and where possible materials.*

****THE MODIFICATION IS THAT THE FASÇIAE AND SOFFIT BE REPLACED WITH VINYL BUT THAT THE EXTERIOR STUCCO BE REPLACED WITH STUCCO TO MATCH THE EXISTING OR THAT INSULATION BE PLACED ON THE INTERIOR SO THAT THE EXTERIOR CHARACTER IS NOT ALTERED OR AFFECTED.***

Chairman Berchelmann clarified commissioners were reviewing the top half of the house.

Ms. Velázquez responded, yes.

Soffit material hung parallel or perpendicular

Commissioner Gomez asked if the soffit material was deteriorated.

Ms. Velázquez replied she had not noticed any deterioration.

Commissioner Gomez explained the pattern of the material should run parallel to the wall; the replacement runs the opposite which would change the look.

Commissioner Gomez asked Ms. Velázquez if the new soffit material would be installed facing the direction, as existing, or perpendicular.

Ms. Velázquez suggested commissioners specify the direction to either run parallel or mimic the existing soffit, as closely as possible.

Ms. Velázquez thought the Styrofoam would change the look and character of the property; additionally, she was not opposed to replacement of the soffit and fasçiae with something similar. In 2012 commissioners approved a request whereby the applicant requested replacement of the fasçiae and soffit, made of wood, with vinyl. The applicant brought a material sample for commissioners to review.

Institution/Enforcement of Rules and Guidelines

We institute/enforce rules and guidelines because we want to preserve these structures and, where possible, protect masonry. With regard to masonry, we want to preserve this structure for the long run. As preservationists we don't just look back, we also look forward. Furthermore, if this house has been here for 100 years we would like it to be here for 100 more.



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Vice-Chairman Lopez wondered if there were any historic photos of the house. He clarified the property owner would like to:

- i. replace the stucco on the second floor, mimicking the exact same detail they have;
- ii. the windows are surrounding;
- iii. replace the soffit and the fasciae with those materials; and
- iv. painted the same color

Vice-Chairman Lopez stated those materials are fine because the materials are hard to see even from far away or up close if they are vinyl or wood; furthermore, vinyl materials simulate the wood grain.

Ms. Velázquez responded, unfortunately, no historic photos were available.

Chairman Berchelmann asked if there were bump-outs (sills) under the windows by the second floor.

Ms. Velázquez explained the second floor has been stuccoed over; it may have been all brick at one time. Additionally, Ms. Velázquez has noticed a pattern in the Manhattan Heights Historic District whereby a number of brick homes have been stuccoed over.

Chairman Berchelmann asked if the windows were changed.

Ms. Velázquez thought these were storm windows.

Board & Batten vinyl material

Mr. Federico Rodriguez, Modern Interiors of El Paso, clarified there would be no removal of stucco. The second story is very cold in the winter, very hot in the summer. We will be furring out with 1" x 3"s, to attach the insulation to the walls of the second story, covering that with the Board & Batten vinyl product. That will give it the home an R value of 6.5, which is the end result the property owner wanted.

With regard to the EFIS, Vice-Chairman Lopez asked what material Mr. Rodriguez would use.

Mr. Rodriguez replied board & batten (sample shown to commissioners).

Vice-Chairman Lopez clarified, for the walls.

Mr. Rodriguez responded yes, for the walls. The soffit material would be this (material shown to commissioners) with hidden vents along the grooves, from the inside. Additionally, the vinyl will be installed perpendicular to the wall itself.

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Vice-Chairman Lopez stated the vinyl will change the look of the house, considerably.

Mr. Rodriguez requested commissioners approve the use of the vinyl material, encapsulation of the fascia and soffit separate to the walls. He knows he changed it because it was flat and the board & batten vinyl would give it a definitive wall. The property owner selected this style of vinyl because of its Northeastern look.

Vice-Chairman Lopez was concerned the vinyl would change the look of the house.

Mr. Rodriguez responded yes, on the walls it would; however, there was no other way around it. He reiterated the soffit and fascia would be identical in color.

Vice-Chairman Lopez clarified the vinyl would be installed parallel to the walls, the long run

Mr. Rodriguez stated perpendicular to the wall. Okay, we can do the long run with mitered corners, no problem.

Vice-Chairman Lopez reiterated there are two concerns:

1. the fascia; and
2. the walls

Mr. Rodriguez understood there were three concerns:

1. the soffit;
2. the fascia; and
3. the walls

Regarding the fascia, Vice-Chairman Lopez clarified there were no concerns. The fascia will look the same, the same run, low maintenance material ... The walls are problematic and the proposal will be changing the look of this historic house considerably. Vice-Chairman Lopez suggested Mr. Rodriguez convey to the property owner that they consider using EFIS. The Vice-Chairman did not think commissioners would approve of the proposed vinyl material especially since the window surrounds might be getting lost with that.

Mr. Rodriguez replied it would be the same material that the windows are capped out with that we would be using to cap out the fascia, same color.

Vice-Chairman Lopez asked if Mr. Rodriguez had planned to install insulation on the walls.

Mr. Rodriguez explained the walls will have the ¾" polyurethane insulation.



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Vice-Chairman Lopez reiterated the soffit was okay but not the walls.

Chairman Berchermann clarified Mr. Rodriguez had changed out those windows two years ago and commissioners approved that.

Mr. Rodriguez responded, yes and yes.

Chairman Berchermann concurred with Vice-Chairman Lopez's and Commissioner Gomez's comments. Regarding the EFIS, Chairman Berchermann asked Mr. Rodriguez if he wanted to talk to the property owner first.

Mr. Rodriguez explained the property owner was hoping the entire project would be approved today. Now, the maintenance costs regarding the soffit and the fasciae, he would like at least to move with that. Mr. Rodriguez stated that he will discuss an EFIS system with the property owner.

Vice-Chairman Lopez understood the property owner would like to do everything at one time, especially with the scaffolding, etc. He suggested Mr. Rodriguez speak with the property owner regarding an EFIS system. Explain to the property owner that EFIS will provide the same look, same finish, same texture and color as the existing stucco. EFIS will provide better R value as well. There will be some maintenance with the EFIS because it will have to be painted every 30 years; vinyl will crack with the sun in this weather.

Mr. Rodriguez understood the property owner wanted to move forward with the soffit and the fasciae, at this time.

Commissioner Moses understood the board & batten product (sample shown to commissioners earlier) looked to be vinyl siding.

Vice-Chairman Lopez responded it is vinyl siding.

Mr. Rodriguez confirmed yes, it is vinyl siding.

Commissioner Moses asked if there was a lath to it or how does it look.

Mr. Rodriguez approved the dais with the sample for commissioners to review.

Chairman Berchermann reiterated the property owner would like to move forward with at least one, possibly two, out of the three requests.

Mr. Rodriguez responded yes, if possible, he would like to move forward with the soffit and the fasciae today.

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Chairman Berchelmann concluded commissioners were in favor of approving the soffit and fascia, as long as it runs parallel not perpendicular. However, commissioners were opposed to approving the wall system (vinyl material).

Commissioner Moses clarified vinyl siding is not stucco.

Regarding the soffit and fascia, Vice-Chairman Lopez requested Mr. Rodriguez find the color that matches the existing color of the fascia, kind of bluish/gray.

Ms. Hamilton suggested commissioners clarify, in their motion, what is approved.

Chairman Berchelmann agreed, the concerns regarding the stucco and EFIS system can be heard at a future meeting.

MOTION:

Motion made by Vice-Chairman Lopez TO APPROVE ~~816 MAGOFFIN AVENUE~~ WITH THE FOLLOWING CHANGES:

APPROVE:

THE FASÇIAE AND SOFFIT WITH THE REPLACEMENT OF VINYL SIDING PVC SIDING MATCHING, AS CLOSE AS POSSIBLE, THE EXISTING COLOR FOR THE FASÇIAE AND SOFFIT RUNNING THOSE LINES PARALLEL TO THE EXISTING WALLS WITH MIRRORED CORNERS; AND

DENY:

THE VINYL SIDING ON THE WALLS

Ms. Velázquez interrupted the Vice-Chairman. She stated the Vice-Chairman Lopez stated “816 Magoffin Avenue.”

Chairman Berchelmann asked staff if the denial should be included in the motion.

Ms. Velázquez explained if denied the applicant would have to wait one year before commissioners could hear the request again. She suggested the following “the third element to be presented at a later date.”

MOTION:

Motion made by Vice-Chairman Lopez, seconded by Commissioner Gomez AND UNANIMOUSLY CARRIED TO APPROVE THE MANHATTAN HEIGHTS PROPERTY ON WHEELING AVENUE. THE APPROVAL WILL BE FOR THE FASÇIAE AND SOFFIT WITH THE REPLACEMENT OF VINYL SIDING, WITH THE SAME COLOR AS THE EXISTING, RUNNING THOSE LINES PARALLEL TO THE EXISTING WALLS WITH MITERED CORNERS; AND THE REMOVAL OF EXTERIOR STUCCO AND REPLACED WITH VINYL PENDING FUTURE AGENDA.

**Economic & International Development Department****Certificate of Appropriateness**

PHAP14-00034: Being a portion of Tract 23D and a portion of Tract 23B and 23C, Block 38, City of El Paso, El Paso County, Texas

Location: 8820 Old County Road

Historic District: Ysleta

Property Owner: Housing Authority of the City of El Paso

Representative: Juan A. Olvera

Representative District: 6

Existing Zoning: C-3/H (Commercial/Historic)

Year Built: 1994

Historic Status: Non-contributing

Request: Certificate of Appropriateness for the rehabilitation of the property to include removal of grass and trees and replacement with xeriscaping; replacement of siding and tile with cementitious siding; replacement of windows with vinyl windows; replacement of doors; removal of rooftop mechanical equipment and replacement with ground mounted mechanical equipment; and replacement of roofing

Application Filed: 11/26/14

45 Day Expiration: 1/10/15

Ms. Velázquez gave a presentation and noted the applicant seeks approval for a Certificate of Appropriateness for the rehabilitation of the property to include removal of grass and trees and replacement with xeriscaping; replacement of siding and tile with cementitious siding; replacement of windows with vinyl windows; replacement of doors; removal of rooftop mechanical equipment and replacement with ground mounted mechanical equipment; and replacement of roofing. This is an elderly public housing complex in Ysleta containing several clusters of buildings. The proposed alterations will not drastically alter the character at all. No real loss in the number of trees. There will be some removal of trees, such as the mulberry, to be replaced with trees native to the region. Ms. Velázquez explained there will be a change in the amount of grass on the property. Photos of the existing property shown to commissioners.

Per the photos, Ms. Velázquez pointed out the photo showing the tiled wall and stated this was the only spot of color, literally, on the property. The property is well maintained, a sense of privacy, very quiet. The surrounding properties show numerous stuccoed single-family residential units.

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Ms. Velázquez read the following staff recommendations into the record:

The Historic Preservation Office recommends ***APPROVAL WITH MODIFICATIONS** of the proposed scope of work based on the following recommendations:

The Ysleta Historic District Design Guidelines recommend the following:

1. When new landscaping is planned, it should be designed to complement the structure and the streetscape.
2. Mulberry trees are not native to the southwest and are inappropriate for use in landscaping plans.
3. If roofing is beyond repair, replacing materials should match the original as closely as possible. A roof and all roofing materials should be compatible with the structure. Do not change the style or construction of the roof.
4. If windows are damaged beyond repair, replacement windows should match the type, style, material and finish of the original.
5. If existing doors are beyond repair, new ones should be installed. New doors should match original materials and should also be similar in design.
6. Much of a structure's character is determined by the way materials and finishes are combined. The character of the Ysleta Historic District should be preserved through proper design and construction practices.
7. If masonry is beyond repair, use similar materials that match the color, size and texture of the material being replaced.
8. Mechanical, electrical and telephone equipment, as well as other obtrusive elements and/or structures, should be screened from view.

The Secretary of the Interior's Standards for Rehabilitation recommend the following:

- Each property will be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, will not be undertaken.
- When the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and where possible materials.

***THE MODIFICATIONS ARE THAT THE GROUND MOUNTED MECHANICAL UNITS BE SCREENED AND THAT THE DECORATIVE TILE EITHER REMAIN OR BE REPLACED IN KIND.**

Ms. Velázquez explained the bulk of the request could have been approved administratively except for a few minor things. She had not discussed her proposed modifications with the property owner. She did not think the property owners would be painting/changing the color of the exterior.

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Mr. Ken Linehan, Fugleberg Koch PLLC, AIA LED AP architect, architect for the Housing Authority, City of El Paso and Hunt & Moss, developers/contractors for the project. Mr. Linehan explained the existing brick, slumblock is not painted. Existing brick will be repointed and pressure washed. Mr. Linehan noted the original documents were submitted and the project was built in 1983, not 1994 as shown in the packet.

Regarding the construction date, Ms. Velázquez clarified as shown online, date reads 1994 for the property.

Referring to the site plan, Mr. Linehan commented on screening the condensing unit locations, units will be on the ground, screening by landscaping. Evaporative coolers will be removed from the roof, the roof to be replaced with the same asphalt 3-tab, grey shingle roof, as existing. Vent stacks will be lowered to normal heights.

Vice-Chairman Lopez wondered if the wall would be replaced.

Mr. Linehan commented on the wood around the perimeter, the eaves and soffits and the headbands of the windows. We will be using a cement fiber siding, mimicking wood, 50-year life time warranty. Regarding the existing tile, we will keep the tile; however, some tiles are damaged.

Regarding replacing the vinyl siding with cementitious panels, Vice-Chairman Lopez wondered if the proposed color would match the existing or if a new color would be introduced.

Mr. Linehan responded the color must be white, per the historic district guidelines, the existing color for the vinyl and brick is some kind of pink. No exterior lighting would be replaced. Mr. Linehan explained this is one of 14 projects for the Department of Housing and Urban Development (HUD), RAD (Rental Assistance Demonstration). This is a housing project for the elderly; there are four and six unit buildings, 96 one-bedroom units total and one community building.

Chairman Berchermann asked Mr. Linehan if he approved of the modifications, per Ms. Velázquez.

Mr. Linehan responded, yes.

Commissioner Moses wondered how many mulberry trees would be removed.

Mr. Dan Bartlett, Project Executive, Moss & Associates Construction Management, contractor, responded any tree removed would be replaced with another tree. Mulberry and Mimosa trees will be removed; additionally, any tree in conflict with the sewer system will be removed. Milling and repaving the streets will also take place. Those trees that are removed will be replaced with a more native tree



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Chairman Berchelmann suggested Desert Ash or something similar.

Mr. Bartlett concurred and referred to the site plan regarding landscaping; he then gave a presentation.

Commissioner Moses asked if a drip system for the vegetation will be installed.

Mr. Bartlett responded, yes an irrigation system for the trees will be installed.

Ms. Velázquez noted a copy of the landscape plan was included in the packets; however, it may be difficult to read. She presented the landscape plan, as submitted by the applicant, for commissioners' review.

No further comments/questions from commissioners.

MOTION:

Motion made by Commissioner Moses, seconded by Commissioner Brock AND UNANIMOUSLY CARRIED TO APPROVE WITH MODIFICATIONS AS STATED.

3. Addresses of property HLC commissioners have requested that HLC staff review or investigate and provide a report to the HLC. If no addresses are submitted in advance and listed under this agenda item, commissioners may announce such addresses under this agenda item. Discussion on property announced at this meeting will take place during the next regularly scheduled meeting. December 8, 2014 deadline for HLC members to request for agenda items to be scheduled for December 29, 2014 meeting. December 29, 2014 deadline for HLC members to request for agenda items to be scheduled for the January 5, 2014 meeting.

No requests from commissioners/No updates from staff.

HLC Staff Report

4. Update on Administrative Review Cases since the last HLC meeting for the properties listed on the attachment posted with this agenda. (See Attachment "A")

No comments/questions from commissioners.

MOTION:

Motion made by Commissioner Moses, seconded by Commissioner Gomez AND UNANIMOUSLY CARRIED TO APPROVE THE ADMINISTRATIVE REVIEW CASES.



Economic & International Development Department

Other Business – Discussion and Action

5. Discussion and action Downtown survey and map. (per 11.24.2014 meeting discussion)

Chairman Berchelmann explained at the last meeting commissioners suggested asking city council to do another survey and update the map and take another look at properties left out of the current Downtown Historic District map.

Ms. Velázquez concurred and commented on recent appearances/discussions before commissioners from Dr. Max Grossman and Mr. Bernie Sargent. From those appearances/discussions the following was determined:

- v. staff submitted for grants;
 - 1. two grants, each for \$50,000.00; projects are basically the same - reviewing and reassessing the boundaries;
 - 2. previous map was gerrymandered considerably; many important landmarks were left out, not included. Staff located drawings of the original proposed boundaries; the Downtown Historic District was intended to be much larger. Due to political pressures the boundaries were reduced and as a result several structures were demolished.
- vi. provide recommendations for revising the boundaries of the district and certain overlays therein.
 - 1. Certain overlays – review definitions of contributing versus non-contributing properties again. In 1992, when the district was designated, we did not have the information available we have now. In 1992, the Muir Building, a Trost & Trost building, was designated non-contributing. Unfortunately, as we saw during the demolition process, the building was fairly intact.
 - 2. Significant property designation - we know what information/materials is/are on the structure/property and how historically significant that structure/property is.

Chairman Berchelmann thought that information, *dedicated contributing and non-contributing status*, should be included in the Historic District information automatically.

Ms. Velázquez explained, ideally, surveys are updated. The City of El Paso has not updated one single survey and because the Downtown Historic District exhibits the greatest need, this should be the first survey to be updated.

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3. preparing and submitting an application for the creation of a National Registered Historic District thereby freeing up significant federal and state tax credits for renovation projects.
 - a. Currently there are several properties in the Downtown Historic District listed on the National Register; however, the historic district, as a whole, does not have that designation;
 - b. There are three ways to designate a property:
 - i. Locally using HLC, staff, Code Enforcement providing the most policing power;
 - ii. State's Register but many restrictions attached;
 - iii. National Register is the best option because restrictions are few except when using federal funds. Using federal funds requires a Section 106 review; State of Texas, Historic Preservation Office reviews documents to determine whether the project will have an adverse/no adverse effect on the property. However commercial, contributing properties in the Downtown Historic District listed on the National Register District will qualify for a 20% federal and 25% state tax credit.

Ms. Velázquez noted the rumored cost to rehabilitate the Mills Building was \$60 million, with the added construction of two parking garages. Had the property owner applied for the 20% federal tax credit he would have received \$12 million; he would have received \$27 million had he applied for both the federal and state tax credits. Regarding the proposed National Register District designation, not only should the Downtown Historic District be eligible for these tax credits but perhaps a larger boundary should be incorporated.

Ms. Velázquez referred to the proposed National Register survey map and noted Segundo Barrio and a portion of Montana Avenue have been included. Additionally, the Montana Avenue Historic District is listed on the National Register.

Vice-Chairman Lopez asked if the map was for the proposed historic district or for the proposed survey.

Ms. Velázquez clarified the map is for the proposed boundary for the survey. The plan is to hire a cultural resource management firm to conduct the survey, walk the boundaries and then give us their professional opinions.

Chairman Berchelmann commented on the 18 month moratorium on demolitions suggested by Mr. Sargent.

Ms. Velázquez thought the moratorium was up in the air because of the focus on this three-point project. As this presentation was for information purposes, commissioners need not take action on this item.

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Phase I and II – per Dr. Grossman

Ms. Velázquez noted document information was prepared by Dr. Grossman; additionally, she thought the deadlines, as shown, would probably not be met.

- February 2015 – response from matching funds applications received, yes or no;
- If awarded the entire \$50,000.00, the city must come up with the matching \$50,000.00;
- Ms. Velázquez spoke with an Austin firm who approximated, very conservatively, the cost to conduct such a survey was well over \$100,000.00;
- Ms. Velázquez and the City of El Paso Grant Writer will meet and discuss options for the city's matching funds;

Vice-Chairman Lopez stated he would like to suggest, at the time of the new survey, that a new boundary for the Downtown Historic District be created. Therefore, the suggestion would come from a second party not the HLC.

Ms. Velázquez agreed. We want to bring a firm in because we want an objective voice, to ensure the recommendation(s) came from professionals not living or working in El Paso.

Chairman Berchermann asked what foundations were available that support projects like this.

For the Magoffin National Registered District, Ms. Velázquez noted the Summerlee Foundation gave us monies and the Union Pacific Foundation.

Commissioner Gomez wondered if Dr. Grossman's plan has been presented to the City Council yet.

Ms. Velázquez responded no, not yet. She would prefer that staff appear before City Council and state this is what we have at the moment

Chairman Berchermann thought it was wonderful.

Vice-Chairman Lopez agreed; additionally, this is a great start because it includes so many areas left out for so many years.

Chairman Berchermann thought it beneficial to property owners as well.

Vice-Chairman Lopez wondered how the tax credit information could be promoted.

Ms. Velázquez explained she has been promoting this information, talking to property owners informing them what is available. As far as city-wide marketing, there have been some newspaper articles. El Paso promoted the tax credit at a conference in early 2014 to inform property owners of this opportunity.

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Informing property owners in Segundo Barrio

Prior to initiating the survey, staff and commissioners need to meet with the Segundo Barrio property owners so they will not be surprised.

Chairman Berchermann commented on demographics and avoidance of pricing people out of their homes.

Ms. Velázquez explained, via numerous speaking engagements regarding designation, the reoccurring question is “*What guarantee can you give us that designation will not result in gentrification?*” Her response is always, “*There is no guarantee.*” However, examples such as Magoffin and Chihuahuita demonstrate that an “H” overlay does not mean the area will be gentrified.

Chairman Berchermann noted within Segundo Barrio there is Section 8 housing; Section 8 housing has very strict criteria regarding raising rents, etc.

Commissioner Lucero felt it very important that special attention be paid to the Segundo Barrio property owners and the neighborhood overall. At the time the city was initiating their Downtown Redevelopment Plan, Segundo Barrio property owners and residents were very vocal in their being left out of discussions, not being informed of meetings, no notifications, etc. not being consulted ahead of time. There have been demolitions of nice tenement buildings; however, the Segundo Barrio community has become very suspicious.

Ms. Velázquez felt the National Register District designation was the best solution because the restrictions are few but the benefits are many.

Per the October 8th meeting minutes, Commissioner Moses noted Dr. Grossman and Mr. Sargent met with five of the eight City Council representatives. Those five representatives were enthusiastic about their ideas. Commissioner Moses wondered if there was any information from the remaining three Council representatives.

Ms. Velázquez responded yes; however, two were not as enthusiastic but not completely discouraging either. All three remaining representatives were spoken to by Dr. Grossman and Mr. Sargent.

Chairman Berchermann asked, of those three representatives’ districts were any located in historic districts?

Ms. Velázquez responded one representative had one or two historic districts, the others did not.

Chairman Berchermann concluded this project is evolving. He asked Ms. Velázquez when she thought she would receive a response regarding the grant applications.

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Ms. Velázquez responded February; she felt pretty good about the application and supplemental information. Furthermore, the Texas Historical Commission is very aware of recent goings on here in El Paso.

Item 6. was moved to the first item of the day.

6. Discussion and action regarding an application for the designation of San Jacinto Plaza as a Lone Star Legacy Park by the Texas Recreation and Parks Society.

TEXAS RECREATION & PARKS SOCIETY (TRAPS) PROPOSED LONE STAR LEGACY PARK DESIGNATION FOR SAN JACINTO PLAZA

Ms. Marci Tuck, Open Space, Trails and Parks Coordinator, Parks & Recreation Department, gave a presentation and explained the Parks & Recreation Department staff will be submitting application paperwork to the Texas Recreation and Parks Society (TRAPS) requesting that San Jacinto Plaza be designated a *Lone Star Legacy Park*.

The designation, given by the TRAPS, the professional association for Parks in Texas, is the association's highest designation of a park. The purpose of *Legacy Park* designations is to recognize what a park means in the local community, such as local prominence, enduring the test of time, and becoming iconic to the users in the city and/or the locale itself.

Designation Criteria:

The park must be at least 50 years old and have at least **ONE** of the following:

1. Distinctive design and/or construction;
2. Historic or cultural events or sites;
3. Associated with events specific to the community; or
4. Home to unique natural features

The Parks & Recreation Department selected "Historic or cultural events or sites"

Application Process

Staff must submit the application documents by January 9th ; if, however, San Jacinto Park is not selected for designation the first year, Parks Dept. staff can and will reapply again. The narrative portion of the application process requires information regarding the significance of the park in the community, historic features or use, citizen support of the park, previous awards and/or designations including any historic designations, and usage and annual attendance.



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Additional Information:

1. Once designated, no development or design restrictions are applicable. For example, there are no design or development restrictions for signs in a Legacy Park.
2. Once designated, the applicant (Parks & Recreation Department) will be responsible for marker/monument fees.
3. Once designated, the City of El Paso, as a whole is allowed to utilize the *Lone Star Legacy Park* logo, associated with San Jacinto Plaza, in marketing efforts for historic/heritage tourism.

A photo of San Jacinto Plaza (*before construction*) and the location of the 15 plaques throughout the plaza were shown. Ms. Tuck explained all 15 plaques will be incorporated into the design, somewhere. She understood plaques #12 and #13 were plaques designated by the Texas Historical Commission (THC); therefore, the Parks Dept. staff will submit documentation verifying the plaza's state historical significance, per the Texas Historical Commission.

Plaque #12 refers to the El Camino Real (The King's Highway)

Plaque #13 refers to the El Paso County

Ms. Tuck stated she has come before commissioners today requesting commissioners create a Letter of Recommendation to support the Parks & Recreation Department's application for the *Lone Star Legacy Park* designation.

Comments/Questions from Commissioners:

Chairman Berchermann asked when Ms. Tuck would need this letter by.

Ms. Tuck responded she would email a sample letter of recommendation language to Ms. Velázquez. She suggested commissioners submit their letter to her by January 5th.

Chairman Berchermann referred to the "*no design or development restrictions*" comments by Ms. Tuck.

Ms. Tuck thought commissioners would question if there were any design or development restrictions. She clarified this designation does not have any restrictions associated with it.

Ms. Velázquez stated she requested Ms. Tuck include the "*no design or development restrictions*" information in the presentation because it was essential that she (Ms. Velázquez) know what, if any, restrictions there might be. Ms. Velázquez explained it appears there are no restrictions.

Chairman Berchermann asked if commissioners should take action on this agenda item.

Ms. Hamilton responded once the letter is drafted, staff will forward to commissioners. The finalization of that letter will be ascertained at the next meeting, December 29th.



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Commissioner Moses commented that this is a confusing designation because the Texas Parks & Wildlife and each of the state parks are part of the Lone Star Legacy Foundation with endowment funds for each state park.

He thought it funny that there are two statewide organizations with something affecting the same. There is a statewide foundation, *Lone Star Legacy Foundation*, he thought might be funded by the same organization.

Ms. Tuck interjected two statewide organizations may have the same or similar language. She thought they might be linked together, she would research that.

Chairman Berchermann informed Ms. Tuck the Commission will address this at the December 29th meeting. As soon as commissioners compose the Letter of Recommendation, Ms. Velázquez would email it to Ms. Tuck.

Ms. Tuck thanked Commissioners.

7. Approval of Regular Meeting Minutes for October 6, October 20, and November 24, 2014.

Chairman Berchermann explained commissioners may approve the minutes as a group, with one motion.

Staff was unable to complete the October 20th meeting minutes; therefore, commissioners were unable to review and/or approve them.

OCTOBER 6, 2014

Chairman Berchermann asked if commissioners had any additions/corrections/revisions. *There were none.*

NOVEMBER 24, 2014

Chairman Berchermann asked if commissioners had any additions/corrections/revisions. *There were none.*

MOTION:

Motion made by Commissioner Lucero, seconded by Commissioner Brock AND UNANIMOUSLY CARRIED TO APPROVE THE OCTOBER 6TH AND NOVEMBER 24TH MEETING MINUTES AS PRESENTED.

Prior to the vote, Commissioner Moses asked why there is a highlighted line in the October 6th meeting minutes.

Staff will correct and bring them back for the next HLC meeting.

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MODIFIED MOTION:

Motion made by Chairman Berchermann, seconded by Commissioner Moses AND UNANIMOUSLY CARRIED TO APPROVE THE NOVEMBER 24TH MEETING MINUTES AS PRESENTED.

OCTOBER 20, 2014

Not available for commissioners review.

MOTION:

Motion made by Chairman Berchermann, seconded by Commissioner Brock AND UNANIMOUSLY CARRIED TO ADJOURN THE MEETING AT 5:50 P.M.

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